CERTIFICATE OF SERVICE

I hereby certify that, on the dates and by the methods of service noted below, a true and correct copy of the foregoing was served on the following at their last known addresses:

Served Electronically through CM/ECF:

Richard B. Miller rmiller@tpm-hawaii.com January 5, 2006 kwall@tpm-hawaii.com January 5, 2006 Patricia Kehau Wall

Served by First Class Mail:

JOY A. SAN BUENAVENTURA 101 Aupuni Street, Suite 311 Hilo, HI 96720

January 5, 2006

Served by hand-delivery:

N/A

Dated: Honolulu, Hawai'i, January 5, 2006.

/s/ Keith K. Hiraoka KEITH K. HIRAOKA Attorney and Guardian ad Litem for Defendant MARK DAVIS, JR.